

REMARKS

Claims 1-24 are pending in the application; with claims 1, 2, 18, 20, and 24 being independent. Claims 1, 4, 6, 9, 11, 12, 18, and 20 have been amended to more appropriately define the present invention. Claim 2 has been amended to take independent form, and thus its claim scope remains unchanged. Claims 8 and 21 have been cancelled without prejudice or disclaimer of the subject matter therein. Claims 22-24 have been added to define additional aspects of the invention.

Claim Objections

In the outstanding Office Action, the Examiner objected to claim 10 due to informalities; specifically, the Examiner asserted claim 10 depended from claim 88. Applicants note for the record that claim 10 depends from claim 9. However, it appears that claim 11 inadvertently depended from claim 88. Claim 11 has been amended to address this informality.

Claim Rejections – 35 U.S.C. §102

The Office Action indicates claims 1-21 are rejected under 35 U.S.C. §102(b) as being anticipated by International Publication No. WO 01/93183 to Andreasson et al. (“Andreasson”). Applicants submit the Examiner has failed to establish a prima facie case of anticipation and respectfully traverse this rejection.

Andreasson merely relates to a method for recording a bar code which consists of a plurality of parallel lines of varying thickness. The method includes detecting the edges of the bar code in at least a subset of captured images, and determining, for the edges of at least a

subset of the detected images, possible displacements in relation to the edges of the preceding image. (See Abstract.) Specifically, Andreasson merely discloses detecting the edges of the bar code by generating, for at least parts of the bar code, a histogram corresponding to the darkness level in the pixel along a band, and differentiating the histogram so that a sequence of edge coordinates is provided which describes where along the band in the image the edges of the lines of the bar code are located (Page 4, lines 2-10).

However, Andreasson fails to disclose, at least, “reconstructing the bar code using the base element values,” as recited in claims 1, 18, and 20.

Applicants submit Andreasson is distinguished by the present invention at least in that Andreasson merely uses only the positions of the edges of the bars when reconstructing the barcode.

Regarding claim 2, Andreasson merely discloses generating differentiated histograms for a plurality of bands extending over the image at different angles, the band whose differentiated histogram have the highest peaks being selected as the band which is essentially perpendicular to the direction of the extension of the lines of the bar code (Page 4, lines 11-17).

However, Andreasson fails to disclose, at least, “rotating the image, so that the directions of extension of the edges correspond to the direction of extension of rows or columns of pixels in the image,” as recited in claim 2.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of independent claims 1, 2, 18, and 20. Claims 2-17 depend from claim 1 and are allowable at least for the reasons provided for allowable claim 1. Claims 3 and 19 depend from allowable claims 2

and 18, respectively, and are allowable at least for the reasons provided above for claims 2 and 18.

It is noted that the Examiner summarily rejected the pending claims of the application without providing sufficient evidence in support of the rejection, such as, for example, satisfactory cites to the Andreasson reference.

Applicants respectfully submit that the Examiner has the burden of pointing out the portions of each reference the Examiner has relied upon. "When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable." See 37 C.F.R. §1.104(c)(2).

Accordingly, if the Examiner maintains the rejection based on the Andreasson reference, Applicants respectfully request the Examiner to provide a full and complete explanation of the rejection in another non-final Office Action so Applicants may have an adequate opportunity to properly respond.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

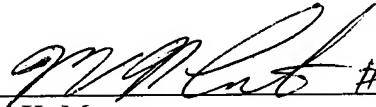
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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